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The Right of Freedom

The Bulletin of the Human Rights Centre "Spring '96"



BALKAN CRISIS

This-autumn crisis on Balkans draws a world-wide attention.

It is from there, from the belly of Europe, that the World War I began. Today there is a war on too close to the borders of the countries that have begun to build a conjoint house of Europe.

The civilised Europe seems to be a small scrap of land, a common yard, where all neighbours know each other and try to settle a more or less proper life-style according to the common rules, which let all live. Since the curtain dividing Europe into two parts fell down, the European yard has enlarged itself for a dozen familiar and not very familiar neighbours, which have lived for a long time according to their own laws. As it turned out, not all of them are ready to accept new rules of cohabitation. Ill breeding plays its role. Let's not consider now why Serbs are behaving this way and not another and who are more right — they or Kosovo's Albanians, but turn our mind to the position of Belarus President A. Lukashenka, who managed even in this situation to make a spectacle of himself for the world community.

Belarus President officially announced about giving armed support to Serbia in this conflict and, at the time of the greatest opposition, sent a high delegation to Serbia with Security Council Chairman at the head. The delegation was combined from Deputies of his pocket parliament and even President's elder son (!!!). How much it reminds of the old times of ages ago, when princelings pledged their sons as an expression of their highest faith and honour to the ally! Or the recent Soviet past, when Stalin's son was sent to the front as a simple lieutenant (Lukashenka's son is also a "lieutenant" at the Ministry of Foreign Affairs) and perished there. I think Lukashenka had similar "heroic" associations.

So what were the grounds for such a categorical decision to support the disobedient European country? Here we are coming up to the most interesting things. As it turned out, from Lukashenka's point of view, the Belarusans must help Serbia because the Serbs are firstly Slavs and secondly Orthodoxs.

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CHRONICLE

On October 1-2, Yuras' Maroz, who applied to Czech authorities for political asylum in June 1998, picketed the Belarusan embassy in Prague. His principal demand was to discharge Uladzimir Pleshchanka, arrested in September 1998 on a charge of dismantling an A.Suvorau bust in Vitsebsk.

On October 1, in the letter to "Charter-97", Alena Boner, scientist Andrey Sakharau's widow, expressed her countenance towards Belarusan political prisoners: Andrey Klimau, Uladzimir Kudzinau, RB Supreme Council Deputies of the 13th Sitting, and Alyaksey Shydlousky, Young Front member.

On October 1-2, in Minsk, Belarusan Young Politicians' Association conducted two pickets in support of the demand to provide the opposition with thirty minutes of broadcasting time on the State TV Channel. The picket participants came out with banners "The tax-payer has a right to TV and radio freedom of expression," "The same face, the same moustaches are on the screen 24 hours long. We are fed up with that!"

On October 2, Uladzimir Pleshchanka has been kept in the Vitsebsk Investigation Ward for a month that day. The legendary Miron met a burden of dismantling the A.Suvorau bust in Vitsebsk. The investigators are sure however that it was Pleshchanka, who dismantled the monument, but they do not have any evidence of guilt.

On October 6, Uladzimir Khil'ko, the Saving Bank ex-principal, was arrested in Minsk. Collaborators of the General Prosecutor's office, KGB and Ministry of Interior Affairs took part in the arrest. The criminal case is being examined juridically on the Saving Bank's granting credits to some commercial firms for fictitious transactions. The arrested banker is ill with sugar diabetes and is registered as a disabled person of the second group.

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There is no talk about the features of a civilised policy, about the nature of Serbia's certain political moves; the division is being made according to religion and race.

That is why Belarusan President felt more aggrieved than others and threatened to administer some economical sanctions against the Bulgarians after they, also Orthodox Slavs, appeared to be in the anti-Serbs coalition. The picture would be incomplete if we did not add that behind the back of the small and puny bully, there is a silhouette of another Eastern Orthodox brother picturing out, which although lean and feeble, but holds his hand in his pocket and knows what to show from there to the whole world. I am sure that Belarus President would not have behaved himself as a rooster without this backing. We know what Islamic Arabic world is. Now the post-Communist extremists are trying to model an Orthodox Slavic world by following the advice of their Spiritual Father and distinguishing between "pure" and "impure" people. What remains unclear is what is reserved in their plans for Muslim Slavs and Orthodox Blacks, who live in great numbers in Africa and do not fit in their racial-religious scheme?

Ales BIALATSKY

Expedition of Human Rights Defenders

From 6 till 14 October, Polish branch of the international human rights organisation Amnesty International ran a tour through Poland in the framework of the 50th anniversary since the Universal Declaration of Human Rights was adopted. Representatives of the countries, where systematic violations of human rights have taken or are taking place, took part in the event. Belarus was represented by Head of "Spring-96" Human Rights Centre Ales Bialatsky, Cuba – by the ex-prisoner Victor Infante, Bosnia and Herzegovina – by the refugee Jadranka Milicevich. The tour, supervised by Amnesty members from Gdansk Adam Jagusjak and Malgazhata Tarasevich, passed through the towns of Belastok, Olstyn, Torun, Poznan, Lodz and Warsaw.



Victor Infante, a teacher, was sentenced in 1992 in Cuba to 13 years of imprisonment for defending human rights. Six years of the term he served under very severe conditions and was released only after Pope Jan-Paul II visited Cuba and requested to discharge 50 prisoners. In the spring of 1998, Victor and his friends were taken from the prison, put aboard a plane and sent to Canada. Soon after that act of grace, Castro ran in two hundred more of political prisoners. According to Victor, there are 3300 of them altogether in Cuba today.

During the war in Bosnia, Jadranka Milicevich had to flee from Saraevo to Belgrade, since she and her husband were Serbs and had relatives in there. There she founded an organisation "Matron to Matron", which helped the female refugees from Bosnia and Herzegovina, no matter of which nationality and religious confession they were. After the war, she has been doing the same under the guardianship of those women, who are going back to the destroyed Saraevo.

At the numerous meetings with the public, students and journalists, Ales Bialatsky reported on the situation of human rights observance in Belarus. The Poles were interested to learn what was happening beyond their Eastern borderline. A.Bialatsky was talking about Belarusan political prisoners, about pursuit of independent mass media, about violations of international agreements, committed by President and Belarus authorities, about breaking of the lawful Constitution of 1994, about subversive economic policy, which does not meet the national interests, about mass victimisation of the youth, which stands against totalitarianism, about lawsuits for "graffiti", about baseless detention and conviction of rallies' participants, among which there are a lot of non-adults, about the authorities and President's discrimination policy in regard to the Belarusan language and culture, to the Belarusan school education.

Those talks kindled people's real interest and sometimes even mistrust because of transparent marasmus of those who carry such a policy out into practice. Are there any perspectives of democracy in Belarus? — Mr.Bialatsky was very often asked this question, and his answer always was a confident "Yes".

A.K.

"Minsk Spring" Echoes

The criminal case against Vintsuk Viachorka is renewed... because of lies in the militia records.

This matter would probably have become old and beyond recall already long ago but for the day, when views of many people about Belarus and the Belarusans were changed: March 24, 1996.

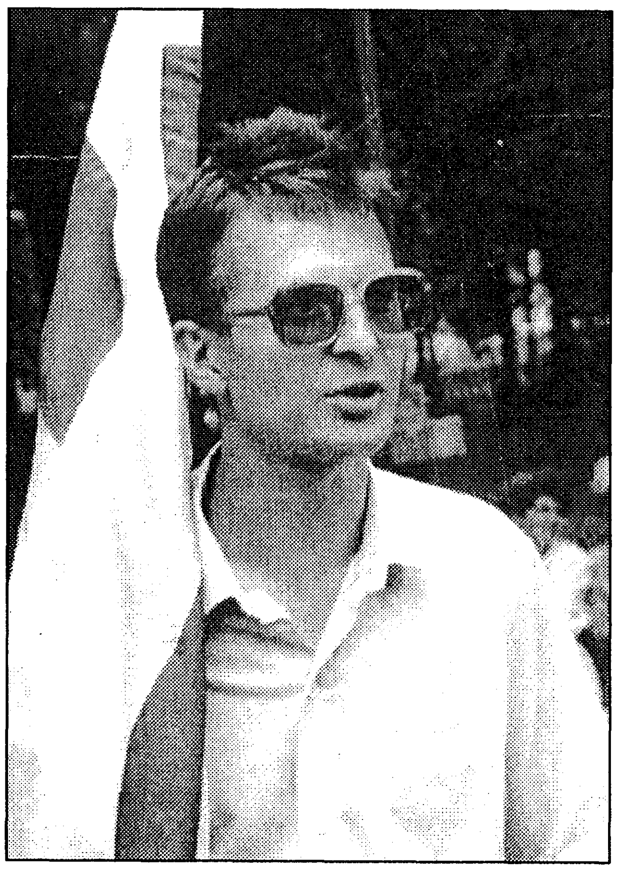
Recollection of that Freedom Day calls forth a momentary "sequence series" before your eyes: helmets, shields, sticks, broken heads, a blood-stained flag and asphalt of the Skaryna Avenue... This way the so-called "Minsk Spring" began.

As it would turn out later, the day of March 24 would imprint itself in the minds of many Belarusan procurators. In the transport of vigilance, they would "forget" about the slaughter initiators and performers' responsibility, but would be exact in impeaching the acquittals in the trials of democratic opposition. Such a selective attention from the side of the "law guards" influenced the matter of the Belarusan Popular Front pro-Head V.Viachorka.

On June 13, 1997, the Central District Court of the capital city acquitted Mr.Viachorka, and the criminal proceedings against him were suspended because there were no components of crime. Within a year and two months, this sentence has been litigated thrice in different prosecutor's instances, and the judicial instances of different levels have left the decision of "not guilty" thrice unchanged.

On the first October days of 1998, Mr.Viachorka received by mail a thick envelope from RB Supreme Court. The official letter of 28.09.98 (reference number "02-175 pr", signed by "I.N.Minets, Plenary Session Secretary and Judge of the Supreme Court of the Republic of Belarus) was rather brief. A copy of the resolution of the Supreme Court Plenary Session of August 26, 1998 was forwarded to the addressee "for familiarisation". Thus the court officials acquainted the State's resident with how his fate was decided only in a month after the mentioned Plenary Session.

Presidium of the Supreme Court of the Republic of Belarus considered the fourth in succession protest on the case of Mr.Viachorka, issued by Assistant Prosecutor General, whose name was kept in dark. "Having heard the report of Tsiatsiukhin A.L., judge of the Supreme Court of the Republic of Belarus, and the speech of Ivanousky A.V., Assistant Prosecutor General of the Republic of Belarus, who backed up the protest", seven high jurists with SC Chairman Sukal at the head repealed all previous decreet absolvitors of the inferior instances, namely "the sentence of the Central District Court of Minsk of June 13, 1998; the determination of the Juridical Board for criminal matters at Minsk City Court of September 9, 1997; the resolution of the plenary session of the Minsk City Court of December 3, 1997; the determination of the Juridical Board for criminal matters at RB Supreme Court of March 3, 1998."



> **Presidium of the Supreme Court of the Republic of Belarus**
>
> **RESOLUTION**
>
> to annul the sentence of the Central District Court of Minsk of June 13, 1998, the determination of the Juridical Board for criminal matters at Minsk City Court of September 9, 1997, the resolution of the plenary session of the Minsk City Court of December 3, 1997, the determination of the Juridical Board for criminal matters at RB Supreme Court of March 3, 1998 in re Vechiorko Valentin Grigorievich and refer the case to Prosecutor General of the Republic of Belarus for re-inquiry.
>
> **Chairman of the Supreme Court of the Republic of Belarus** V.O. Sukalo
>
> **Correct. Judge of the Supreme Court of the Republic of Belarus** A.L. Tetiukhin

The case was referred to RB Prosecutor General for re-inquiry.

The well-known politician and outstanding scientist in Linguistics is being imputed to have influenced by word the militia lieutenant-colonel Drozd N.N. (art.188-2, part 2 — "Interference into the actions of a militia worker on duty"). According to the "old" Code, not altered by President A.Lukashenka's decree, V.Viachorka faces a fine or correctional labour for up to a year.

We all remember how militia workers were performing their duties on March 24, 1996. That is why, when compared with their sticks, Mr.Viachorka's influence by word, imposed at lieutenant-colonel Drozd, looks like a joke about Minsk "sentimental" militia and "sensitive" prosecutor's office.

Let us refer to the resolution of Presidium of the Supreme Court: "... In the run from 13.30 till 15 o'clock, he several times went up to the microphone and publicly addressed lieutenant-colonel Drozd N.N., who was performing his duties on public order maintenance, with a demand to release Rymasheusky V.A., detained by collaborators of Moscow District Interior Department, within 10-15 minutes. Otherwise he (V.Viachorka — T.S.) would lead 30,000 rally participants along Niamiga St towards the building of Moscow District Interior Department in order to gain an understanding with the militia workers themselves".

To the mind of Assistant Prosecutor General and SC Presidium, "Drozd N.N. was unable to perform his direct duties properly for 1.5 hours because of psychological pressure from the side of Viachorka V.R.". Members of Presidium managed to use the following facts as a circumstance against V.Viachorka's acquittal: while Drozd was reporting to the DID about Viachorka's demand, "Rymasheusky V.A. was in practice inflicted an administrative penalty by way of a fine and set free". "Later on that decision was annulled", however. General Prosecutor's office now feels concern about to which degree the actions of V.Viachorka have influenced the withdrawal of V.Rymasheusky's fine.

One more "hitch" lies in mismatch of the surnames in the fine record of V.Rymasheusky and in the statements of militia workers at the trial of V.Viachorka. Therefore the second question of the General Prosecutor's office is who has fined Rymasheusky. Still it is unclear what it has to do with "victim Drozd" and what exactly the lieutenant-colonel forgot to accomplish after listening to Viachorka.

Instead of getting outside of the militia workers' lies, Lukashenka's appointees are brandishing with the truncheon of "political crimes".

T.S.

"Victory Science"

Suvorau will remain at the same place, Pleshckanka will remain in the place "not so remote..."

On the night of September 1, a bust of the Russian generalissimo Aliaksandr Suvorau disappeared from the yard of Vitsebsk military registration and enlistment office. Instead of the gypseous general, a note from the mysterious, but already legendary man named Miron was found. Having assumed the responsibility for the monument's dismantling, he explained that there was no place for occupants' idols on the Belarusan land.

Whose hero is Suvorau?

200 years ago, Rech Paspalitaya, the state where our predecessors were living, was razed from the map of Europe. Many people in the Russian Empire might have been thinking that it was disappearing forever. But the state was quitting the historical scene with dignity and by shutting the door with the bang heard all over the world.

An uprising burst out after two repartitions. Its leader Tadevush Kastiushka today is considered to be the national hero not only of the Belarusans, but also of Poles, Lithuanians, Americans, French and Swiss people. The latter — only because Kastiushka spent the last part of his life in Switzerland. Before trying to gain independence for his Motherland, our hero had been fighting for eight years for the independence of the United States; he was brought up at the ideas of French revolution. When Rech Paspalitaya (Belarus being its self-contained part) was in danger, Tadevush Kastiushka headed the liberation uprising.

The uprising was severely quelled by the Tzar Russia. Russian general Suvorau played the leading role in strangling the resistance of the peoples of Rech Paspalitaya. There is reliable information, that Suvorau asked Empress Ekaterina II to send him to war, either "in Japan" or "in Lithuania" and "to the Poles". He even promised to "do away with Kastiushka's uprising within forty days".

After the uprising had been put to rout, the empress generously rewarded the invaders: they were given estates, lands with villages. Suvorau got an estate about Kobryn, where he spent twice two months in different years of his life. Each time he came there in February-March, so that to pass the end of winter in the "Western Russian province" and then to leave for the capital city.

Meanwhile arrests, exiles, attempts of enforcing people to swear allegiance to Russia were on in all "newly joined" counties of the empire. Especial of freethinkers, dilations and great economic tension were commonly practised in Russia. Yet the "stick and the carrot" artful policy, pursued by Ekaterina II, spiritual enslavement and prohibition to mention the names of Kastiushka and his comrades-in-arms topped the list of oppression means. The imperial authorities wanted to blot out of people's memory even the reminiscences of the liberation uprising.

What do we observe today? For sure, we do have some reminiscences. And books in the mother tongue are published. And Andrey-Tadevush Kastiushka is considered a hero of our History, although the spiritual trap does not let the Belarusans out, like it was 200 years ago. There is not a single Belarusan town or village in Belarus with a monument to Andrey-Tadevush, there is no museum in his motherland! But in the USA, grateful people commemorate our countryman: there is a monument in his honour there, a museum is opened in West Point.

From contemporaries of Tadevush Kastiushka, Aliaksandr Suvorau is being most honoured in Belarus. There are Suvorau military school in Minsk and a military museum in Kobryn, streets all over Belarus bear his name. In Kobryn region there is a Suvorau collective farm; a recreation park, a store, a street are named after Suvorau, a bust and a full-length statue are erected in Kobryn.

The choice of "the Choice"

The Belarusans in their majority have not managed to re-evaluate their past after the collapse of the USSR. From a school textbook in history, we still can learn about "heroism" of Suvorau. The handling of Suvorau's deeds sounds practically the same as it did in the Tzar Russia times.

In 1995, when RB President A.Lukashenka began to put physical and moral pressure on all kinds of free thinking, to infringe laws of the State by claiming it to be the struggle against infringements, there were people to oppose him morally. In Vitsebsk, those people became members of the local "Choice" BPF Rada. They openly expressed their non-compliance to the authorities with peaceful means: pickets, processions, rallies. "The Choice" publishes its own newspaper with the same name.

On the Freedom Day on March 25, 1998, three members of "the Choice" decided to present President Lukashenka with big white-red-white papier-mache storks. The storks, as well as those people presenting them, were "captured" by militia. The three Vitsebsk residents spent ten days in the special receiving prison in Akrestsin St.

The main reason that usually is mentioned in the records and court decisions concerning the administrative cases in re "Choice" members is absence of permission to hold a picket-line or a procession. Like that, without a permission, "Choice" member Yuras' Maroz came out with a banner in defence of Vadzim Labkovich and Alyaksey Shydlousky at the porch of Minsk Oblast' Court on the day, when the trial of those young patriots began.

On December 8, 1997, Vitsebsk "Choice" BPF Rada passed at its general meeting an "Appeal to the democratic parties, movements, citizens of the Republic of Belarus". In the appeal it was stated, that a coup d'etat practically took place in Belarus in November of 1996, and since then all government departments have been governed not by laws but by sublegislative rulings, elaborated by Lukashenka's administration. Those people claimed, "Choice" Rada members had made a decision to be guided in their activity only by the 1994 Constitution and the laws, adopted before the coup d'etat".

Looking for Miron

Uladzimir Pleshchanka was arrested on September 2 together with BPF Rada members Yuras' Karpau and Barys Khamaida. The latter two were set free the same day. Pleshchanka remained behind bars, although there were no proofs that it was he who had dismantled the bust. On the opinion of the acting Procurator of Vitsebsk Kastrychnitsky District U.Kazlou, this Vitsebsk opposition leader "while at liberty can prevent from crime disclosure".

FROM VITSEBSK

It is stated in the arrest warrant of Mr. Pleshckanka. Two days later after the arrest, on September 2, official charges as per two criminal articles at the same time were brought: art.201 p.2 ("malignant disorderly conduct, characterised by exceptional cynisism and impudence") and art.225 p.2 ("forethought damage to historical and cultural memorials").

Let us find out whether the Vitsebsk Suvorau bust belongs to historical and cultural memorials. It was erected in Vitsebsk in 1992 (yet at Stalin). The gypseous bust was registered as a memorial of BSSR history and culture only in 1987. In 1991 however Culture Department at Vitsebsk City Executive Committee revoked that decision: since then the monument is not a historical value any more. The authorities have passed no new decisions concerning this matter.

At first they wanted to incriminate the arrested U.Pleshchanka to "theft of non-ferrous metals", but the Suvorau appeared to be only copper-painted. They have found the bust, re-painted it and now are going to put it back on the vacant base in front of the military registration and enlistment office. As for the investigation, they are looking for the proofs of "Choice" leader's guilt. Since Miron has assumed responsibility for dismantling the bust, they must either prove that this Miron is Pleshchanka or identify the elusive undergrounder as another person. The investigation will not manage to do that.

Still it may seem that the investigation does not aspire doing that very much. Just judge yourself. For one month of Uladzimir Pleshchanka's detention, the investigator in re Uladzimir has met him only once. He was asking only one question: whether the person on remand regarded to Miron. It is difficult to call that activity an examination, as the examination procedure consists not only of a talk, but also of drawing minutes, which were absent in this case. As before, U.Pleshchanka do not admit his guilt and denies his participation in the actions of Miron.

Just after the arrest, "Choice" leader and his advocate filed to the court and Prosecutor's Office the demand of release. Vitsebsk Kastrychnitski District Court considered the request on September 23. The judge found it inexpedient to change the restraint.

Miron defends Pleshchanka

Uladzimir Pleshchanka announced to the investigator that he understood Miron's feelings and approved of his actions. Friends packed the first package for the detainee. But surprises made by the elusive revenger Miron appeared to be much more pleasant for Mr.Pleshchanka. As before, he kept on hanging Belarusan national flags out at militia-unreachable heights.



The name of Pleshchanka appears in the notes of Miron now. — he demands that the authorities set Uladzimir free. It happened twice during the month. On the feast-day of Belarusan Army's Glory on September 8, a white-red-white flag appeared on the roadway at the entrance in the town of Liozna in Vitsebsk region. On September 30, when Russian Premier Prymakou visited Belarus and President Lukashenka announced that the independent Ukraine will inevitably join the Union of Russia and Belarus, t happened for the second time. Then Miron brought his protest out in Minsk. The flag, under which our ancestors were fighting for freedom, was hanged out on the chimney of heat and power plant #3.

While looking for the material evidence of Pleshchanka's guilt, militia workers found one more message from Miron — a note attached to the Suvorau bust. He was warning: if "Choice" Rada leader would not be released, the fate of Suvorau monument was reserved for other monuments-symbols of Russian and Bolshevik rule, i.e. Miron threatened to dismantle them.

"Choice" member Yuras' Maroz held a picket at the building of Belarusan embassy in Prague. Maroz himself applied not so long ago to the Czech authorities for political asylum. This 30-year-old young man is one from those people, who have experienced persecution in their motherland for their political views to the utmost degree.

The Pleshchanka-Miron-Suvorau case is going on. They want to get out from people's souls the symbols of Independence in the same fashion as they did after 1794 – the predecessors' state and heroes' names were wiped up from the geographical map of Europe and from the people's memory correspondingly. A people that does not have its heroes is incapable of resisting. The undergrounder Miron in this sense is a real legend of the newest history of Belarus. Yet in the previous years, the authorities were trying in vain to capture him and suspected even militia workers and firemen of hanging out flags. It is possible that now they are losing their patience, and that is why they have ordered to give short shrift just for a show with any, even unreal, "Miron".

History repeats itself... Maybe no other Kastiushka has been born in Belarus yet, but people are peacefully opposing the regime. What will happen tomorrow?

Tatsyana ZHDANOVICH

Events, Facts, Comments

(continued from page 1)

6 October, a year after J. Mikalutsky, Head of Mahileu Oblast' Control Service, died from an assassination, RB President A.Lukashenka made a statement that this criminal case concerned himself personally, too. "The president was within a hair's breadth of death", A.Lukashenka announced to journalists during laying of a foundation-stone of the dwelling complex "Olympic" in Minsk, which is being built not far away from the Drazdy estate. "This crime had been planned several meters away from here, that's why we should not take things happening around Drazdy in a simple way. Everything is much more complicated and serious", claimed Lukashenka.

From 6 to 14 October, Polish branch of the international human rights organisation Amnesty International ran a tour through Poland in the framework of celebration of the 50th anniversary since the Universal Declaration of Human Rights was adopted. Representatives of the countries, where systematic violations of human rights have taken or are taking place, took part in the event. Belarus was represented by Head of "Spring-96" Human Rights Centre Ales Bialatsky, Cuba – by recent political prisoner Victor Infante, Bosnia and Herzegovina – by the refugee Jadranka Milicevich.

13 October, the juridical assembly on criminal matters at Minsk City Court, chaired by R.Kazyrytsky, considered the review complaint of Piotr Gushcha, bishop of the Belarusan Autocephalous Church. The judge read out an abbreviate of adjudication, according to which the judgement of the Savetsky Court was annulled and the penalty of P.Gushcha was changed. P.Gushcha was set free after spending seven months in the Investigation Ward. P.Gushcha was detained on March 6, 1998 for having masturbated for 40 minutes in the kindergarten in front of all children. P.Gushcha was accused of "malignant disorderly conduct" as per art.201 p.2 of the Criminal Code of the Republic of Belarus. During the investigation it turned out that P.Gushcha had been twice tried and was a mental hospital patient. The trial, which took place on August 21, 1998, sentenced P.Gushcha to three years in jail. On October 13, P.Gushcha was sentenced to three years de bene esse with a two-year respite and was released the same day.

16 October, an agreement was made between Russian and Belarusan military offices at the joint assembly of Ministries of Defence of Russia and Belarus in Moscow. The aim of this agreement is consolidation of opposition to NATO expansion. Russian Minister of Defence Ihar Siarheeu qualified the agreement secret. Among the papers, signed on October 16, there were the 1999 working schemes for military offices and the working schemes for Ministries of Defence concerning formation of the joint defensive order. The situation in Kosovo was also discussed at the joint assembly. Belarusan representatives declared their readiness to help Belgrade with arms and technical equipment. The agreement on military co-operation, signed in Moscow, proves that Belarus-Russia integration has acquired an objective base — opposition to NATO.

"Condemned" Cells

Those convicted to extreme penalty overstep the line between life and death.

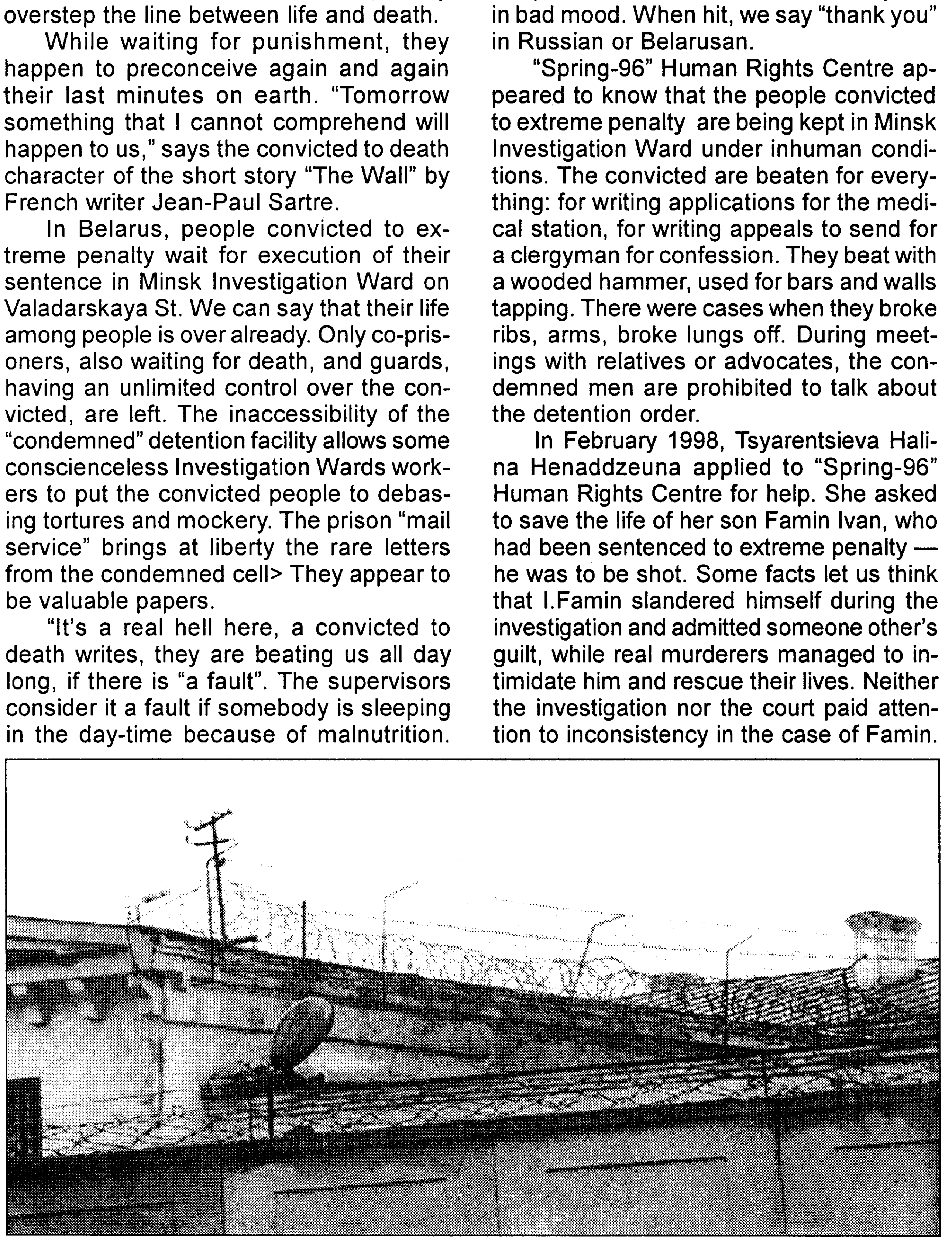
While waiting for punishment, they happen to preconceive again and again their last minutes on earth. "Tomorrow something that I cannot comprehend will happen to us," says the convicted to death character of the short story "The Wall" by French writer Jean-Paul Sartre.

In Belarus, people convicted to extreme penalty wait for execution of their sentence in Minsk Investigation Ward on Valadarskaya St. We can say that their life among people is over already. Only co-prisoners, also waiting for death, and guards, having an unlimited control over the convicted, are left. The inaccessibility of the "condemned" detention facility allows some conscienceless Investigation Wards workers to put the convicted people to debasing tortures and mockery. The prison "mail service" brings at liberty the rare letters from the condemned cell> They appear to be valuable papers.

"It's a real hell here, a convicted to death writes, they are beating us all day long, if there is "a fault". The supervisors consider it a fault if somebody is sleeping in the day-time because of malnutrition. They beat us without a reason, if they are in bad mood. When hit, we say "thank you" in Russian or Belarusan.

"Spring-96" Human Rights Centre appeared to know that the people convicted to extreme penalty are being kept in Minsk Investigation Ward under inhuman conditions. The convicted are beaten for everything: for writing applications for the medical station, for writing appeals to send for a clergyman for confession. They beat with a wooded hammer, used for bars and walls tapping. There were cases when they broke ribs, arms, broke lungs off. During meetings with relatives or advocates, the condemned men are prohibited to talk about the detention order.

In February 1998, Tsyarentsieva Halina Henaddzeuna applied to "Spring-96" Human Rights Centre for help. She asked to save the life of her son Famin Ivan, who had been sentenced to extreme penalty — he was to be shot. Some facts let us think that I.Famin slandered himself during the investigation and admitted someone other's guilt, while real murderers managed to intimidate him and rescue their lives. Neither the investigation nor the court paid attention to inconsistency in the case of Famin.



Nor the mother's appeals to the Supreme Court and Prosecutor General helped.

"Spring-96" Human Rights Centre found out that during the investigation some cases of misruling from the side of the investigators took place in re those convicted to extreme penalty: they used tortures.

They beat Ivan Famin, convicted to extreme penalty, during the investigation with a rubber stick and by feet, put on him a gasmask and cut off the oxygen. He lost consciousness thrice, after that he was forced to sign document he never even read.

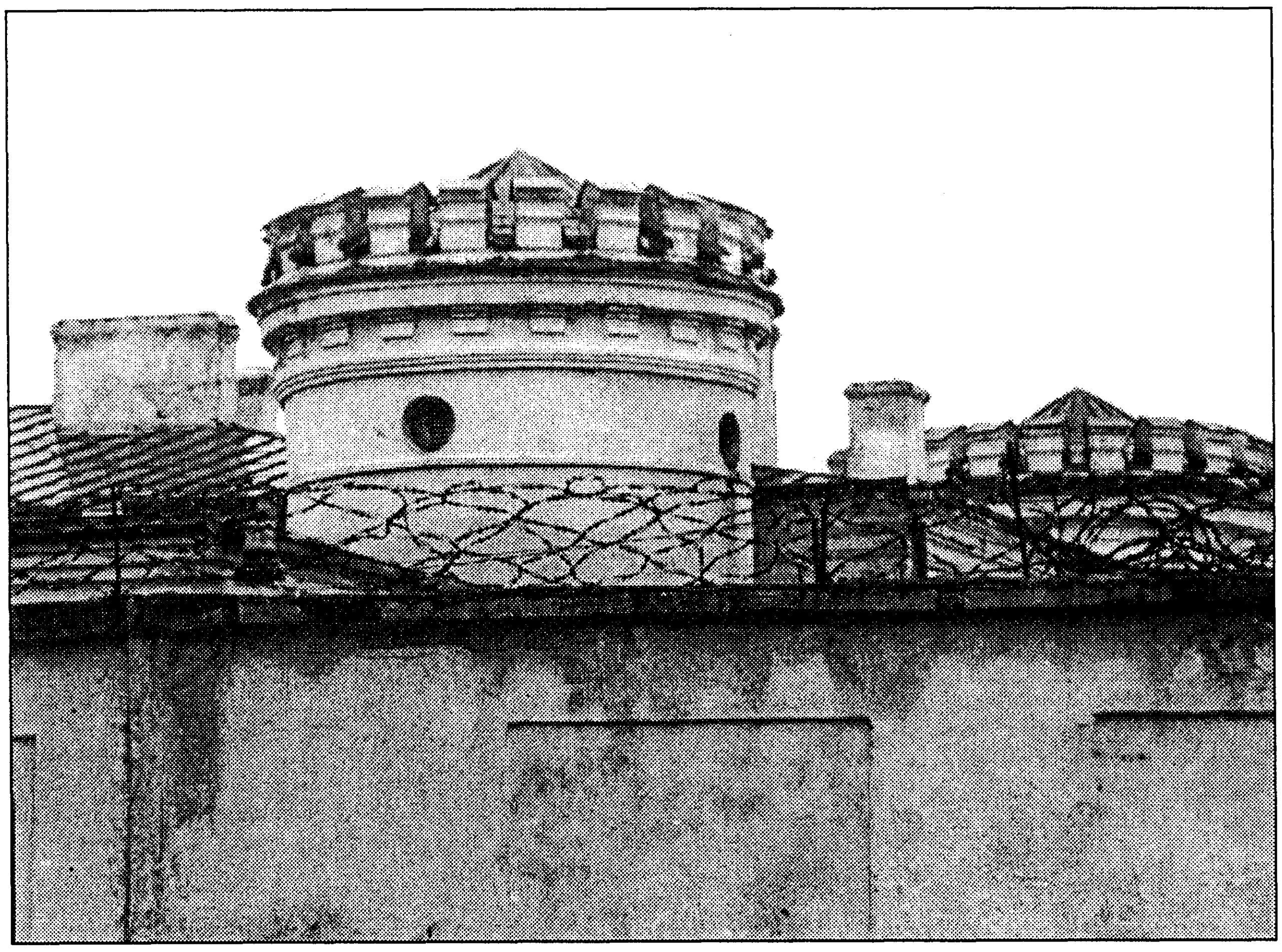
Glushonak Mikhail Mikalaevich signed an admission of a murder under the tension from the side of an investigator, who was aware Glushonak had been taken drugs since 1990. The investigator suggested that Glushonak admit the responsibility for the murder in exchange for drugs. Glushonak refused, and workers of the Investigation Ward began hitting his heels and kidneys with rubber sticks. Then the investigator came again, this time with drugs. The investigator said, "If you refuse to sign the paper, I won't give you these tablets and you'll be killed". Consequently he had to sign the self-report. The investigator added, "If it comes to your mind Glushonak to back up at the trial, you'll be shot after it during the attempted escape". Glushonak recounted about all this at the review of his case in the Supreme Court, but the punishment remained the same — extreme penalty.

Belarus remains in the list of countries with legitimised death penalty. For the last two years, over 70 people in Belarus have been sentenced to extreme penalty. Most of them addressed Belarus President with a plea of mercy, but none of them was upheld. Meanwhile certain facts witness that Belarusan law machinery does not always work honestly, qualitatively and accurately.

"SPRING-96"
NEWS-DEPARTMENT

What awaits the relatives of a prisoner?

The tears and queues await the relatives of the arrested.



Pay attention to the people with huge shabby bags who turn from the Minsk Franzysk Skaryny Avenue to the Valadarskaja Street. These people carry parcels into the Investigation Ward. The main thought that occupies their minds is that if only the parcel were accepted and not given back. The arrested have the right for one parcel a month weighing no more than eight kilos (everything in the parcel is weighed except for the clothes). But the arrested are deprived of the parcels for violating regime.

In order to be deprived of the parcel it is enough for the guard to notice that the arrested hangs the "web"(a very thin wire that is hooked couple the installation to make "chyf" (a very strong tea) at night) or hear that the arrested contacts with the neighbouring cell.

The unhappiest of the relatives are those who have to return home with full bags (very often they come from villages and other towns). And those who were more "lucky", stand in the queue to the window where the parcels are accepted.

This is a peculiar world and life here with their own norms. For example a mother brings for her son a huge plastic bag of good cigarettes with filter (one must not bring cigarettes in packs) and even bigger packet of tea. Nothing else. " Let him drink it for health"—says mother who brought up the criminal and she goes out satisfied. She does not make a tragedy of all this.

All the clothes are checked, the food is weighed and is placed in special packs—later on they will be delivered to the cells. On the reception work the people who know their job. One of the women asks to accept a newspaper with quizzes and anecdotes. " Please take quizzes—asks she—the boys degrade there"." They do not degrade—rather politely answers the voice from the window—they will read what we bring them. They have even TV-sets there".

And what are they given to read? This is found out from one of the ex-arrested: "Soviet Belarus", "Zvjazda", "Chyrvonaja Zmena" used to get to Valadarca. The most popular newspaper among the arrested was "Vjacherny Minsk"—everybody wanted to know what is happening in the city. But this paper is not easy to get. You should ask the militiaman. He has a pile of papers, he brings them to cells and does not pay attention what is where. You may ask him for "Vjachorka" and he will give it to you if he has not given it to anybody yet".

Publications from relatives are not accepted. The clothes of the "khaki" color are not accepted as well (this is the color of the guard). Too shabby and torn underwear and clothes are not accepted either. It is explained as follows: "They (the arrested) do not recognize these clothes as theirs and say that we have changed the new for the old. We don't want such problems". On my eyes three tooth-brushes that had been in use were not accepted. But later the arrested whose relatives didn't bother to get new toothbrushes will be wondering:" What is it? They sent us toothpaste and forgot about the toothbrush?" By the way it is very prestigious among the arrested to possess good articles of personal hygiene: a lump of soap, a toothbrush and toothpaste and all that is needed for shaving.

Many relatives bring food weighing more than eight kilos. But they hope in vain—more than permitted won't be accepted. However there is a possibility to send a parcel " by green path" but for that you have to have 50 USD and reliable ties.

A parcel from an old woman is accepted. There is one extra loaf of white bread, it overweighs eight kilos. The loaf is given back. The old woman asks: "Please take the loaf, take it! Let him eat white bread. It is his birthday today". "They have birthday twelve times a year—a voice from the window answers—as the relatives arrive it is at once their birthday". The loaf is not accepted.

"You should have fed him with white bread in his childhood and should have told him kind fairy tales—says a young pretty girl—than he wouldn't have come here". She speaks very quiet as if to herself. Many of those standing in a queue would not agree with her as it is mostly mothers who stand in a queue in the jail and who will neither never acknowledge their children's guilt nor, moreover, their own. Although future fate of the child is always the matter of his mother. An American psychoanalysis Eric Bern wrote, "a mother may be given a task to bring up for example ten policemen and ten bandits. Or five bandits and five policemen. A reasonable woman who has to bring up ten boys, is able to fulfill any of these projects". It is mother who forms the character of her child—awakes his first feelings and wishes, gives him first knowledge.

"The relatives of the arrested are treated as if they are also arrested—says a woman whose son is to go to the Babruisk Jail.—We were on the appointment. An impression from it is very horrible, I do not feel easier at all, on the contrary, much worse. From seeing it all with you own eyes you feel only worse. What costs only waiting! It is such a humiliating state. It appears so that the whole family and not only the arrested serve the term".

When person returns from the jail, a very difficult period of adaptation is ahead of him—he has to get used to freedom. The relatives feel all the difficulty of the adaptation period on themselves.

A woman, whose nephew has returned from the jail, says: "We thought that he would return and be a happy man. And he came back and could not find a place for himself. He used to say: "I want to get back. My friends are there. I have nothing to do here, I will not find myself here. I am afraid of all that." Everything connected with getting used to his mother and his home went on very difficult. He was so nervous that he was simply afraid of the free life in which he had to find his place somehow. When he got back, his mother had to listen to probably all the curses existing in the world. For example, such a phrase was once uttered: "I will make you such life that death will seem deliverance to you". The mother was crying and asking: " What am I to do?" While he was Imprisoned she worked only for him, even let her flat. We understood that we had to be patient".

It is known that for the imprisoned themselves beside the laws of regime written by administration, there exists a special law—a jail law. But also relatives of the imprisoned live according to their own laws. Psychological state of those whose relative gets imprisoned is difficult to describe. This is a feeling of great loss: there was a person and there is suddenly no now, in one moment he became unattainable as if dead. But the dead a sincere prayer may help, and those who are behind the bars other means can help. And so goes the seeking of possible ways out. One is ready to pay for everything: for extra loaf of bread, for extra hour of appointment.

P. Kachatkova

By Andrey Mel'nikau

A Trip behind Bars

One of the guards, from Minsk, recalled his teacher, who went on a three-day's hunger strike. He advised by the way that when you stop hunger strike it is dangerous to eat sugar. I come to the conclusion that it is harmful to starve with sugar. It is logic to refuse the Investigation Ward tea and compote because they are sweet—may be it is because of the sweet that my kidney hurts but those drinks warm up. After the next jogging around the yard the heart starts beating violently. I have to quit jogging. The most important thing is to preserve energy. I simply warm up under the sun, look up at the sky, and stride to and fro.

On the weekend, while the officers are away, I make arrangements with the guard and move to the cell number 1, where I join a young tractor-driver, having got one more blanket. Now it is warm enough.

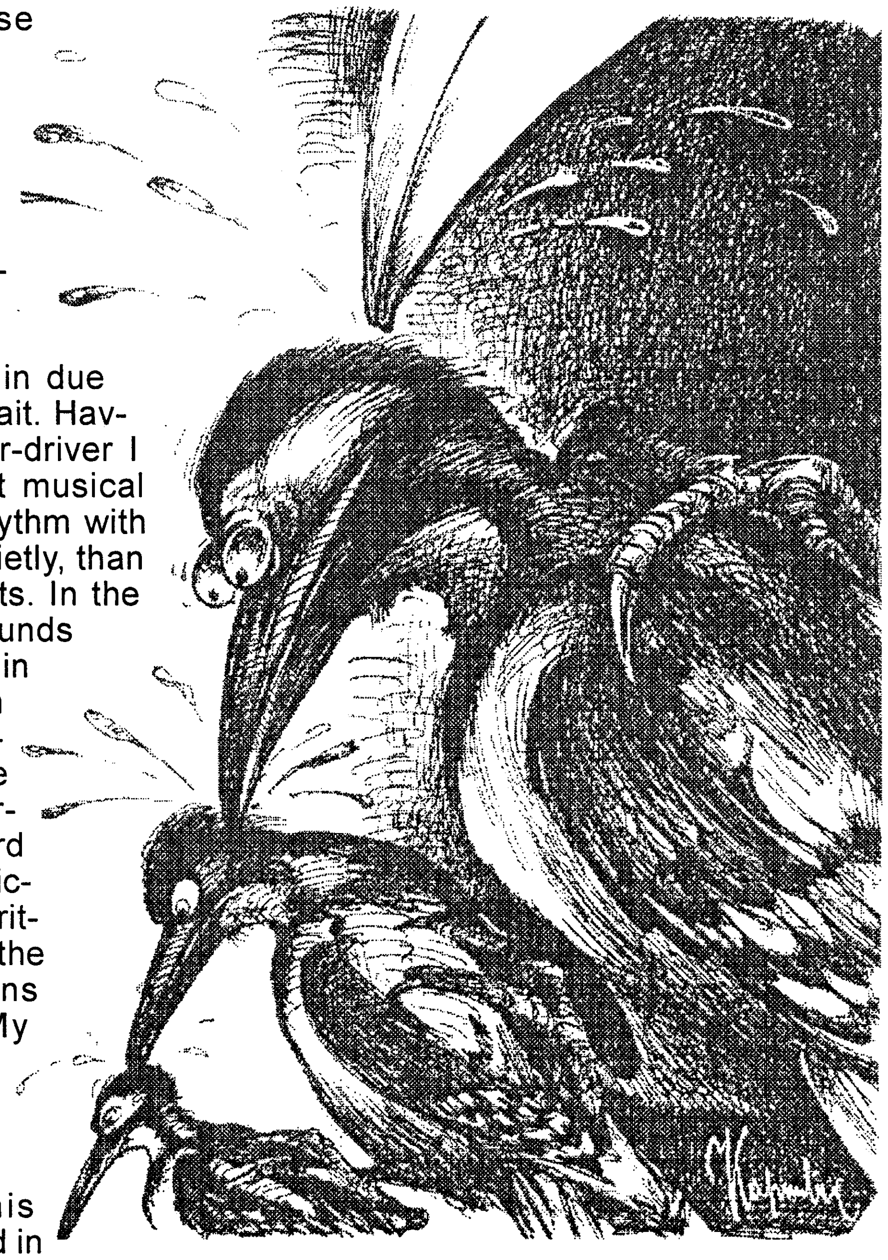
The tractor-driver is a bit more than twenty. According to the arrested' in Loh words, his elder brother could be arrested as well but he managed to escape to Lithuania in his tractor. On the investigation the tractor-driver showed himself the most perspective for the investigators and the most dangerous for the rest. So the rest of the arrested think. May be they simply need an outsider.

The tractor-driver is evidently worried and is afraid of the jail. I suspect that my company was badly needed for him. We hardly speak and this seems to be the most suitable thing for us both.

The second week of imprisonment. Yet they do not bring me anywhere. There is evident lack of impressions. Every morning brings new disappointments: you make sure that again no departure for Garodnja is expected today.

The Russian man Valodzja got a heart attack. No doubt a cigarette smoke in the cell was one of the reasons for it. When Valodzja is back from the medical point he gives up smoking—he decided that life is much worthier. On the whole "kamenalozhskaja evil group", judging by what they say, has changed greatly during one week of imprisonment. The guys understood that not all of them would manage to get out of there and gradually they began to betray during the investigation their accomplices. Every time they confess more and more of the things about which they would rather keep silent.

The ex-ensign and his brother were sent clothes, food and cigarettes, so was the tractor-driver. The Russian men manage with these "givings". One morning we hear that the infringers with motorcycles are arrested. We see these infringers as well as the group of Russian TV men, but their motorcycles stand in the yard.



Everything comes in due time to those who can wait. Having moved to the tractor-driver I started singing. Without musical accompany, pattering rhythm with the hand. At first very quietly, than louder as no one protests. In the morning the singing sounds loud enough to be heard in the farthest fifth cell. On this very day Aleh composes a poem "On the tenth day of his hunger-strike the Belarusan bard began singing" and sacrifices it to me. The poem, written on the inner side of the soft drink label, remains among my papers. My neighbor likes the song "The neighbor has drowned" most of all.

Aleh presents his works both in the cell and in the yard. The arrested are indifferent to him, except for the ex-ensign who becomes angry. He has complexes and from time to time returns to his anti-Belarusan droning. The guards are impressed with Aleh's works far more. They begin to think that the fate acquainted them with a real poet, that is why they look on him with interest and respect.

Shumeika informs at last that the departure is due on Thursday morning. I notice that by that time I will have been arrested for eleven days and the law provides for no more than ten days of being kept in such conditions. The senior lieutenant disputes: we were brought to the Investigation Ward on Monday evening and that is why they have even some hours left. There are news about the three lawyers whose help I counted on. Hamaida from Vitsebsk and Salaujou from Orsha are disqualified as lawyers and there is nothing heard of the one from Gomel Board, Valeryi Novak by name. What to do, I name to the senior lieutenant two more lawyers—from Minsk and from Baranavichy. I do not have any other connection with freedom yet.

At last a long-looked-for morning sets in. The door is open. The last washing in the Investigation Ward. The guards tie Aleh's and mine hands behind the back (this time they really tie them) and we proceed by the well-known route to the three-storey building, near which a ready to go UAZ (a van) stands.

The hands are untied but only to be tied in front. Aleh's hands are handcuffed, later, sitting in the van, Aleh shows me 'hat the hands can be removed from them and I also gradually manage to untie the hands. It is chilly in the morning. The sun has already risen but it hides behind the trees, leaving long shadows. After half an hour's drive I got cold. The kidney disturbs. The cold reaches it from the metal board of the van, there is a draught through the chinks in the awning.

At about half past nine in the morning the van stops at a sun-lit street of Garodnja near the fence of the jail. The trolley-buses and free people go by. I am trying to find familiar faces among passers-by, I hope that somebody will notice and recognize me. I understand inside the naivety of this hope but it won't disappear, it will stay even in a month, and in two months. I wonder where are the picket participants for Sharamet's freedom. He is not released yet, as far as I know. And my supporters evidently do not knew yet that I am already in Garodnja.

(continuation from volumes 15-16, 17, 18)

(continuation to follow)

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